

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

RODNEY SMITH,
DENISE GANT,
EBONY SIMON,
PHYA SCOTT,
PRISCILLA JACKSON,
SHARON CHARLES,
YOLANDA LAWRENCE,
YOLANDA RATCLIFF, and
ZHANE RATCLIFF,

Defendants.

Order of Continuance

22 Mag. 9613

Upon the application of the United States of America and the affirmation of Derek Wikstrom, Assistant United States Attorney for the Southern District of New York, it is found that the defendants Rodney Smith, Denise Gant, Ebony Simon, Phya Scott, Priscilla Jackson, Sharon Charles, Yolanda Lawrence, Yolanda Ratcliff, and Zhane Ratcliff were charged in a complaint, dated November 29, 2022, with counts of conspiracy to commit wire fraud, in violation of 18 U.S.C. § 1349, and wire fraud, in violation of 18 U.S.C. §§ 1343 and 2. Smith was also charged with aggravated identity theft, in violation of 18 U.S.C. §§ 1028A and 2.

It is further found that Smith, Gant, Charles, Lawrence, Yolanda Ratcliff, and Zhane Ratcliff were arrested on November 30, 2022, and presented the same day before Magistrate Judge Sarah Netburn. Each defendant was ordered to be released on bail subject to certain conditions on or about the same day;

It is further found that Simon was arrested on November 30, 2022, and presented the next day, December 1, 2022, before Magistrate Judge Stewart D. Aaron. Simon was ordered to be released on bail subject to certain conditions on or about the same day;

It is further found that Jackson was arrested on December 1, 2022, and presented the same day before Magistrate Judge Stewart D. Aaron. Jackson was ordered to be released on bail subject to certain conditions on or about the same day;

It is further found that Scott was arrested on December 2, 2022, and presented the same day before Magistrate Judge Stewart D. Aaron. Scott was ordered to be released on bail subject to certain conditions on or about the same day;

It is further found that Smith is represented by Jonathan A. Marvinny, Esq.; Gant is represented by Christine Delince, Esq.; Simon is represented by Lorraine Gauli-Rufo, Esq.; Scott is represented by Peter E. Brill, Esq.; Jackson is represented by Lisa Scolari, Esq.; Charles is represented by Benjamin C. Zeman, Esq.; Lawrence is represented by Christopher D. Wright, Esq.; Yolanda Ratcliff is represented by Donna R. Newman, Esq.; and Zhane Ratcliff is represented by David Touger, Esq.


Counsel for each defendant and Assistant United States Attorneys Kedar S. Bhatia, Rebecca T. Dell, and Derek Wikstrom have been engaged in, and are continuing, discussions concerning a possible disposition of this case;

It is further found that the Government has requested a continuance of 30 days to engage in further discussions with counsel about the disposition of this case and that the defendants, through their counsel, have consented that such a continuance may be granted for that purpose and has specifically waived their respective rights to be charged in an indictment or information for an additional 30 days; and

It is further found that the granting of such a continuance best serves the ends of justice and outweighs the best interests of the public and the defendants in a speedy trial; and therefore it is:

ORDERED that the request for a continuance pursuant to 18 U.S.C. § 3161(h)(7)(A) is hereby granted until March 1, 2023, and that a copy of this Order and the affirmation of Assistant United States Attorney Derek Wikstrom be served by email on this date on counsel for the defendants by the United States Attorney's Office.

Dated: New York, New York
January 30, 2023


United States Magistrate Judge
Southern District of New York